

IN COURT'S OFFICE
U.S. DISTRICT COURT FOR N.Y.

COURT EXHIBIT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ JUL 26 2012 ★

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MARK A. RAFFERTY,

-----X
LONG ISLAND OFFICE

Plaintiff,

-against-

VERDICT SHEET
10-CV-1420 (JS) (AKT)

STEPHEN BUDWAY, Shield No. 5482,

Defendant.
-----X

SEYBERT, District Judge:

< < ALL JURORS MUST AGREE ON THE ANSWERS TO ALL QUESTIONS > > >

According to the principles of law as charged by the Court and that facts as you find them, please answer the following questions:

1. Did Defendant Budway have probable cause to believe that the Plaintiff was guilty of the crimes of Assault and Resisting Arrest?

YES X NO _____

If your answer to Question 1 is "YES," you have found a verdict in favor of the Defendant. In that event, please cease deliberations, have the foreperson sign and date this Verdict Sheet and return to the courtroom.

If you answer to Question 1 is "NO," please proceed to Question 2.

2. Did Defendant Budway act with malice in initiating the criminal proceeding against the Plaintiff?

YES _____ NO _____

If your answer to Question 2 is "NO," you have found a verdict in favor of the Defendant. In that event, please cease deliberations, have the foreperson sign and date this Verdict Sheet and return to the courtroom.

If your answer to Question 2 is "YES," please proceed to Question 3.

3. Were Defendant Budway's actions a proximate cause of damages to the Plaintiff?

YES _____ NO _____

If your answer to Question 3 is "NO," you have found a verdict in favor of the Defendant. In that event, please cease deliberations, have the foreperson sign and date this Verdict Sheet and return to the courtroom.

If your answer to Question 3 is "YES," you have found a verdict in favor of the Plaintiff against Defendant Budway. In that event, please answer the questions regarding damages below.

DAMAGES

4. Please state the total amount of compensatory damages, if any, you award Plaintiff to fairly compensate him for any injury he actually sustained as a result of Defendant Budway's conduct.

\$ _____

If you have not awarded compensatory damages, you must award the Plaintiff nominal damages in the amount of one dollar.

5. Do you decline to award compensatory damages and award the Plaintiff nominal damages in the amount of one dollar?

YES _____ NO _____

Because you have found a verdict in favor of Plaintiff, you may, but are not required to, award punitive damages.

6. Please state the total amount of punitive damages, if any, you award the Plaintiff.

\$ _____

Foreperson, please sign and date this Verdict Sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

Margaret R. Yurca
FOREPERSON

Dated: July 26, 2012
Central Islip, NY

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We have a VERDICT

in Kerra

Defendant's Exhibit

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C - 9/11 Recordings

D - Photos - 1

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